

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MAGGIE STATON,

FILED
IN CLERK'S OFFICE
US DISTRICT COURT, E.D.N.Y.

★ SEP 04 2013

(In the space above enter the full name(s) of the plaintiff(s).)

BROOKLYN OFFICE
COMPLAINT

-against-

CV 13 - 4994

N.Y.P.D. 113th Precinct, P.O. MARTINY,

Jury Trial: ☒ Yes ☐ No
(check one)

P.O. CARSON, P.O. RUTHERFORD, In their

Individual & Official Capacities.

MATSUMOTO, J.

BLOOM, M.J.

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name Ms. MAGGIE STATON
Street Address 140-45, /160th Street,
County, City Jamaica,
State & Zip Code New York, 11434.
Telephone Number #718-723-1443.

- B. List all defendants. You should state the full name of the defendant, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name Mr. MARTINY (detective)
Street Address 167-02 BAISLEY BLVD

County, City QUEENSState & Zip Code NEW YORK 11434Telephone Number 718-712-8228

Defendant No. 2

Name (detective) Mr. CARSONStreet Address 167-02 BAISLEY BLVDCounty, City Jamaica, NEW YORK 11434State & Zip Code 718-712-8228

Telephone Number _____

Defendant No. 3

Name Detective RUTHERFORD,Street Address 167-02 BAISLEY BLVDCounty, City Jamaica, New York, 11434State & Zip Code 718-712-8228.

Telephone Number _____

Defendant No. 4

Name _____

Street Address _____

County, City _____

State & Zip Code _____

Telephone Number _____

II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

A. What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal Questions☐ Diversity of CitizenshipB. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue? 4th, 8th & 14th United States Constitution AmendmentsAs well as the 1st, 6th, & 11th New York State Constitution Provisions.

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship _____

Defendant(s) state(s) of citizenship _____

III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events.

"STATEMENT OF CLAIM"

#1.) ON JANUARY, 4th, 2011 AT APPROXIMATELY 5:30 am, (3) Police officer's

From the 113th Precinct came to my home with two arrest warrants, 1

For "DARNELL KINGSBERRY" & 1 for "JOHN JOHNSON", Detective Rutherford

Was the first officer to enter my home without my consent & knowledge

#2.) Then Detective Carson, entered my home without my consent & knowledge

Next following Detective Carson, was Police officer/Detective Martiny,

Who proceeded upstairs to the second floor dwellings and began to

Conduct an unconsented search of the entire upper (3) bedrooms areas,

While detective Rutherford & detective Carson was downstairs searching

Shortly thereafter detective Martiny came down stairs with a brown

Leather jacket in his hands. and grabbed my son, and took him to the

113th precinct without an arrest or search warrant.

You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? 140-45/160th Street,
Jamaica, New York, 11434

B. What date and approximate time did the events giving rise to your claim(s) occur? January
4th, 2011 approxiamelty 5;30 a.m.

C. Facts: At (Approx) 5;30 a.m. on January, 4th, 2011 while plaintiff
MAGGIE STATON, was a sleep in her home at 140-45/160th Street,
Jamaica, New York, 11434. When (3) Police officers from the 113th
Precint came to my home with arrest warrants for Darnell Kingsberry
& John Johnson, They where told by my daughter, Ms. Maddie May,
To wait one minute while she went to get her mother to speak
With the officers when I arrived to talk to the (3) officers
They had already entered my home without my consent & Had arrested
My son, DARREN STATON, who they never had a arrest warrant for
They took him to the 113th precinct. It was done in a sadistic
And malicious manner with the sole purpose of cause and harm.

What
happened
to you?

Who did
what?

Was anyone
else
involved?

Who else
saw what
happened?

IV. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. Mental anguish, extreme stress,
embarrasinent, humiliation, pschychological adducement of fear.
Emotional distress pain & sufferings, disparity. aggravated to
a bout of high blood pressure triggerment.

V. Relief:

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation. To recover monetary compensation
-Damages for the illegal forcible entry & deliberate indifference
of subjecting plaintiff to cruel & unusual punishment, in violation
of Due process of law & equal protection of the law under the
4th, 8th, & 14th U.S.C.A.

PLAINTIFF SEEKS DAMAGES IN THE REASONABLE
SUM OF \$,20,000,000,00 U.S.Dollars.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 3 day of SEP, 2013

Signature of Plaintiff

Mailing Address

Telephone Number

Fax Number (if you have one)

Maggie Staton
140-45 160 St
Jamaica N.Y. 11434

718 723-1443

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.

For Prisoners:

I declare under penalty of perjury that on this _____ day of _____, 20____, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff: _____

Inmate Number _____